

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD
FOR
STEENS MOUNTAIN RUNNING CAMP
SPECIAL RECREATION PERMIT
OR-020-RP-01-08**

**ENVIRONMENTAL ASSESSMENT
OR-027-02-022**

INTRODUCTION:

The Bureau of Land Management (BLM), Burns District, has analyzed an application for a commercial Special Recreation Permit (SRP) for the Steens Mountain Running Camp (Camp), an outdoor education, recreation, and fitness training camp for high school students. The Camp has held an SRP on Steens Mountain since the early 1980's. Most of the activities are on private land (the camp on Lake Creek is located on private land owned by the permittee); however, some activities are conducted in the High Steens Wilderness Study Area (WSA) and on public land that is now in the Steens Mountain Wilderness (SMW). Activities on BLM-administered land, including the SMW, account for less than 25 percent of the entire time spent at the camp with approximately 17 hours spent in the SMW and the High Steens WSA (2001 Post-Use Report). No competitive activities or endurance events take place in the SMW.

The SMW Area was designated through the Steens Mountain Cooperative Management and Protection Act (Steens Act) of 2000. Applicable references to the Steens Act and Wilderness Act are found in the Steens Mountain Running Camp Special Recreation Permit Environmental Assessment (EA), OR-027-02-022, which is incorporated herein by reference.

The issues of physical impacts, protection of wilderness character, and social impacts to other wilderness visitors, especially to natural quiet and solitude, have been raised in connection with the SRP activities in the SMW and High Steens WSA. The establishment of new trails that could attract additional use in the wilderness area has been raised as a concern. Past livestock use on Steens Mountain is reported to have exceeded 100,000 sheep with additional horses and cattle also grazing the mountain. Established recreation and wildlife trails are used for most of the Camp's activity in the wilderness area.

While the Andrews Management Framework Plan (MFP) is silent concerning the proposed action and alternatives, it is a stated objective of the MFP to "Provide a variety of recreation opportunities. . . " (p. 7) within the Andrews Resource Area.

SUMMARY OF PROPOSAL:

A proposed action and various alternatives were analyzed in the EA. The decision to be made focuses on whether or not Camp activities should be allowed to continue within the designated SMW Area. Alternative A of the EA analyzes Camp activities entirely outside the wilderness area.

The Proposed Action and Alternatives B, C, and D analyze three separate weeklong Camp sessions in which 1-day each week would be spent using the wilderness area.

Alternative E analyzes two weeklong Camp sessions with 1-day each week using the wilderness area. Alternative E also represents the amount of Camp use that was occurring at the time the wilderness area was designated.

FINDING OF NO SIGNIFICANT IMPACT:

Based on the analysis of potential environmental impacts detailed in the attached EA and post event monitoring results, I have determined that approval of Alternative E, when coupled with the mitigation measures analyzed in the EA and detailed in the attached Decision Record, will not have a significant impact on the human environment and preparation of an Environmental Impact Statement is not required. Alternative E is consistent with the Steens Act and the Wilderness Act.

Rationale:

The activities described in Alternative E, combined with the identified mitigation measures, will not cause unnecessary and undue degradation of public land. Resources analyzed in the EA include Areas of Critical Environmental Concern (ACECs); noxious weeds; Threatened, Endangered, and Special Status species; wetlands/riparian zones; Wild and Scenic Rivers; wilderness/WSA; recreation; socioeconomics; soils; wildlife; and visual resources. Impacts to these resources are considered nonsignificant (based on the definition in 40 CFR 1508.27) for the following reasons:

ACECs: For the Steens Mountain ACEC, impacts to scenic qualities are minimized by using existing trails and identifying routes where trails do not exist. Post-use monitoring conducted in 2002 shows that paths created by Camp participants, in the one location where established trails are not used, are not persistent longer than about 2 months, and are essentially no longer visible from the Steens Loop Road after 1.12 inches of rainfall. Climate data obtained from the Western Regional Climate Center shows that this amount of rainfall typically falls in the Steens Mountain Area by the end of September every year.

The Camp uses the Steens Loop Road while hiking within the Little Blitzen ACEC and stays on established trails while hiking through the Rooster Comb ACEC. These trails do not appear to be widening significantly from decades of use from the Camp, horseback riders, wildlife, and other recreational hikers and, therefore, ACEC values are not affected.

Noxious Weeds: The potential for spread of noxious weeds is always present, but the routes and trails will be monitored and treated, if needed. These measures will prevent new infestations of noxious weeds. Monitoring indicates that past use by the Camp has not caused any additional noxious weed establishment.

Threatened, Endangered, and Special Status Species: There are no impacts to Threatened or Endangered species or Special Status plant species. Impacts to Special Status animal species will either be short term or are minimized through route identification. Great Basin redband trout and Malheur mottled sculpin are the fish species present in the creeks affected by Camp activities. While there is a potential for site-specific trampling of spawning areas where the participants cross the creeks, this potential is small since most spawning beds are located in the deeper pools and hikers usually cross streams in the shallow riffle areas. This potential impact is also considered insignificant with regard to the fish populations as a whole. Short-term bank trampling of riparian vegetation will also occur along approximately one-quarter mile of McCoy Creek and is considered insignificant because the vegetation will fully recover by the following summer and there will be little evidence of any impact within 1-week after the event. The Columbia spotted frog is not impacted by Camp activities. Riparian monitoring along McCoy Creek indicates an improving riparian trend attributed mostly to the improved control of livestock in the area.

Special Status animal species inhabiting the affected area include Greater sage-grouse, California bighorn sheep, sage sparrow, Northern goshawk, desert horned lizard, northern sagebrush lizard, spotted bat, Townsend's big-eared bat, and Preble's shrew. There are no significant impacts to any of these species because the short-term displacement that may occur will not prevent the animals from returning to the area and all bird nesting will be completed.

Wetlands/Riparian Zones: Any impacts will be short term and insignificant. Some riparian vegetation trampling is expected along the affected portion of McCoy Creek, however, monitoring indicates that bank stability and riparian vegetation composition is improving. This improvement is due primarily to the improved control of livestock management in the area.

Wild and Scenic Rivers: Impacts to the Donner und Blitzen Wild and Scenic River system will be insignificant. The specific impacts to the Outstandingly Remarkable Values of scenery, geology, recreation, fish habitat, wildlife, vegetation, and cultural resources are described in the EA and elsewhere in this Finding of No Significant Impact/Decision Record (FONSI/DR). Post event 2002 monitoring indicates only short-term visual impacts to vegetation and scenery near the headwaters of the Big Indian segment of the river corridor (the portion of the event route where no established trail exists). These impacts are essentially unnoticeable from an immediate view shed perspective (e.g., from the South Loop Road) after about 1.12 inches of rainfall which typically falls by the end of September each year. Also, impacts to vegetation along this portion of the route are hard to find while conducting close-up monitoring 2 months after the event. All other portions of the Wild and Scenic River Corridor that are used by the Camp have established trails which are used by the participants. These trails show no adverse impacts from Camp activities.

Wilderness/WSA: Running Camp activities will be substantially unnoticeable in the WSA as a whole and, therefore, will not jeopardize or negatively affect Congress' ability to find that the WSA has the necessary wilderness characteristics. Any impacts to naturalness, solitude, and primitive and unconfined recreation in Big Indian and Little Blitzen Canyons will be short term and insignificant as evidenced by monitoring. Physical impacts near the head of Big Indian Canyon, where the participants leave the South Loop Road, last from 1 to 2 months or less depending on precipitation. Monitoring shows that rain events erase the paths that are created by the hikers. Trampled vegetation also recovers over about a 2-month time period and the rate of recovery corresponds with the amount of rainfall to the area.

Monitoring also indicates that impacts to the wilderness values of solitude, naturalness, and primitive and unconfined recreation are also insignificant. While monitoring the event in 2002, BLM found that it takes 7 minutes for all 190 Camp participants to pass by any given location within the wilderness area. Therefore, a person camping along the Camp's route in the wilderness area would have their solitude disturbed for about 7 minutes. It should also be noted that the Camp uses the wilderness only 2 days each year and only during mid-weekdays in an effort to reduce contact with other wilderness visitors.

Recreation: The event would occur during mid-week so few other recreationists will be encountered during the event. In the past, encounters with other people using the area now designated as wilderness has ranged from 0 to 12 people. Of the people encountered, it is unknown how many actually dislike seeing Camp participants while in the wilderness area.

Existing hiking trails in Big Indian and Little Blitzen Canyons remain 12 to 18 inches wide indicating 27 years of Camp activity, past livestock use, wildlife use, and human recreational use, including pack stock, does not cause significant widening or deepening of these widely used trails.

Socioeconomics: The Camp will continue to contribute directly to the Harney County economy.

Soils: Identification of routes will keep soil erosion to a minimum. Monitoring in 2002 does not indicate accelerated erosion resulting from past Camp activities.

Visual Resources: Class I Visual Resource Management impacts will be minimal and short term.

Wildlife: Wildlife displacement and habitat disruption will be short term and insignificant. The short-term disturbance to animals from Camp participants will not prevent the animals from returning to their use areas and physical impacts to wildlife habitat will be minor.

All resource values have been evaluated for cumulative impacts. It has been determined that cumulative impacts would be negligible for all resources. There would be short-term and diminutive impacts to scenic qualities in the Steens Mountain ACEC, naturalness and solitude in the SMW Area, and wildlife in terms of temporary displacement from indirect contact with participants. When combined with other SRPs, grazing authorizations, and general use by the public, impacts to all resource values are still insignificant because monitoring indicates that physical resource values are improving and opportunities for experiencing solitude, naturalness, and primitive and unconfined recreation remain plentiful. Impacts specifically caused by the Camp are not perpetuated beyond a 2-month period of time. Also, this decision will not set a precedent for other SRP authorizations or cause changes to existing land use authorizations.

An important factor in making this decision is determining the necessity of using the wilderness area. Alternative A of the EA provides for Camp activities outside of wilderness by primarily using the Cold Springs Road. While Alternative A does provide a unique outdoor experience, it does not fully provide for complete appreciation of SMW values as has been emphasized over the Camp's 27-year history. The major features of the wilderness area are the canyons and the experience one has while essentially surrounded by the magnificent canyon walls.

Consistency with specific sections of the Steens Act and Wilderness Act are referenced in the EA. Accordingly, this decision:

- Conserves and protects the long-term ecological integrity of Steens Mountain by educating students on proper care and management of the environment including Leave No Trace ethics practiced in many wilderness areas (Section 102 Steens Act).

- Promotes recreation and recognizes and allows current and historic recreation use by authorizing the SRP while protecting the physical and social environment of Steens Mountain (Sections 102, 111, and 115 Steens Act).
- Is consistent with the Wilderness Act by protecting wilderness character while administering the Steens Mountain Cooperative Management and Protection Area (CMPA) for the purposes for which it was established (Section 4 Wilderness Act and Section 115 Steens Act).
- Allows use of the Steens Wilderness for public purposes including recreation, education, conservation, and historical use (Section 4 Wilderness Act).
- Allows continuation of an established commercial activity aimed at realizing the recreational and educational benefits of the Steens Wilderness while providing for historic use (Section 4 Wilderness Act and Sections 102 and 111 Steens Act).

DECISION:

As a result of the environmental analysis presented in the EA, it is my decision to implement Alternative E. This decision allows the continuation of present Camp activities. Two 1-week Camp sessions, each with 150 participants and 40 staff personnel, will continue to operate as detailed in the EA and the permit's operational plan. Alternative E represents a balanced approach that allows enjoyment of the wilderness while preserving wilderness character. It allows an activity to continue within the SMW Area that would otherwise be diminished if not allowed to occur within wilderness. Compared to the other alternatives, this decision safeguards the wilderness values by limiting both physical and social impacts to acceptable short duration levels. Annual authorizations will outline specific annual requirements and adjustments that result from monitoring or other policy changes. This decision will remain in effect for 5 years unless modified by the Record of Decision for the Andrews Management Unit/Steens Mountain Cooperative Management and Protection Area Resource Management Plan and Environmental Impact Statement (RMP).

The rationale for the FONSI supports this decision. Impacts to the SMW Area are the primary focus of this decision. Implementation of Alternative E, coupled with the mitigating measures detailed below, has led to my decision that all practicable means to avoid or minimize environmental harm and avoid unnecessary and undue degradation to the public land has been adopted. This decision is consistent with the Wilderness Act in combination with the Steens Act. It also meets the requirements of the wilderness regulations (43 CFR Part 6300), in that it is not a competitive or endurance activity. Participants hike down Big Indian Canyon in single file and do not pass each other. While ascending Little Blitzen Canyon participants are once again in single file as they alternately jog for 1-minute, then walk for 1-minute until they exit the wilderness at the North Loop Road. The event is not timed and there is no personal acknowledgement of winning anything.

The BLM believes it is important to explain some of the history of the Camp as background to this decision. The Camp has operated in the Steens area for the past 27 years and has made it possible for adolescents to enjoy and respect the beauty of the area, including the canyons, through running, hiking, exploring, and education. This decision is specific to the Steens Mountain Running Camp and the pertinent legislation and should not necessarily be viewed as a precedent for other wilderness areas or future SRPs in the CMPA. The legislative sponsors of the Steens Act have repeatedly emphasized their understanding that the Camp would be able to continue in the SMW. The Steens Act resulted from the sustained collaboration of many parties concerned with the Steens Area. During their discussions, there were many specific issues considered and the Camp SRP was one of these. The intent of the sponsors that the Camp continue was recently reiterated in Frenchglen, Oregon, at the Oregon House Resources Subcommittee hearing in summer 2002, as well as at the Senate hearing in Redmond, Oregon, summer 2002. Additionally, the Steens – Alvord Coalition, which is composed of 16 conservation organizations, stated by e-mail on August 24, 2000, that "the coalition views the running camp as relatively benign." The e-mail also states "we do not take issue with its continued existence nor do we intend to limit or force the Camp to change its operation." The BLM is exercising its discretion under the Steens Act and Wilderness Act with this history in mind. This does not guarantee that the Camp will continue unchanged or that future limitations will not be imposed. At this juncture, however, BLM believes it is possible to authorize the Camp to continue its use of the canyons in the SMW in compliance with the mandates of the Wilderness Act and Steens Act. The short duration of the Camp events and associated impacts are important factors in this decision. The limitations imposed through the SRP will limit activities to 2 weeks per year, thus minimizing the likelihood of encounters with other members of the public enjoying the solitude of the wilderness area. Further, the Camp participants will only be present in one place for a very short duration of time. For example, it took only 7 minutes for participants to pass one BLM monitor stationed in Big Indian Canyon during the 2002 event. Monitoring has also shown that Camp activities do not result in a proliferation of trails. In those places where the Camp does not run on established trails, no trails were evident within 2 months after the event.

Mitigation Measures/Monitoring: Approval of this proposal is subject to the following mitigation measures which will be included as stipulations attached to the SRP.

ACECs: Camp participants will stay on existing trails and identified routes to avoid Special Status plant habitats.

Noxious Weeds: Weed identification booklets and information will be given to the permittee. The permittee is requested to notify the BLM of the location(s) of any noxious weeds found. Permittee will follow good weed control practices by cleaning off shoes and/or clothing after going through weedy areas. All vehicles will stay on roads to minimize the spread of noxious weeds.

Threatened, Endangered, and Special Status Species, Recreation, and Wildlife: Permittee will instruct Camp participants to limit noise to conversations and to refrain from yelling or screaming to lessen disturbance to Special Status wildlife species, other recreationists, and wildlife. The cross-canyon hike will continue to avoid Section 32, T.32S., R.33E., in order to protect spotted frog habitat.

Wetlands/Riparian Zones: In upland areas, all Camp activities will stay toward the outer edge of any spring, wetland or wet meadow areas.

Wilderness: Participants will travel single file on defined trails and on identified routes. They will be quiet while using the wilderness area and continue to practice Leave No Trace ethics.

All flagging will be removed immediately after the day's activities.

All toilet paper and solid human waste will be packed out.

BLM will advise recreationists of upcoming Camp activities through notices at campgrounds and trail head registers and on the Burns District Web site.

Permittee will instruct runners to step off the trail and wait quietly while horseback riders are passing.

Recreation: Public land activities will be scheduled on weekdays and will avoid early morning and late afternoon times

Soils: Routes will be located to minimize soil erosion.

Monitoring: In addition to standard BLM monitoring of the SRP during the event for compliance with permit stipulations, the following monitoring will be conducted.

The routes, trails, and parking areas will be checked annually for new noxious weeds and the spread of existing weeds.

Pre- and post-activity photo monitoring points at meadows, cross-country travel locations, and along routes and trails will continue and additional mitigation measures will be implemented as needed to protect social and physical resources.

Verbal comments in the field and written comments at trail registers will be collected during the time period that the Camp is using public land.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal must be filed in the Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738 within 30 days of receipt of this decision. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition, pursuant to regulation 43 CFR 4.21, for stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether or not the public interest favors granting the stay.

Signature on File

Thomas H. Dyer
Burns District Manager

01/03/03

Date